

LISTING OF CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

Claims 1-10 (Canceled).

Claim 11 (Previously Presented): A semiconductor light emitting device comprising:

a substrate;

a first clad layer of a first conductive type formed over the substrate;

an active layer directly formed on said first clad layer;

a second clad layer of a second conductive type directly formed on said active layer;

a defect layer directly formed on said second clad layer;

a current diffusion layer of the second conductive type formed on said defect layer;

a first electrode electrically connected to said first clad layer; and

a second electrode electrically connected to said current diffusion layer.

Claim 12 (Canceled).

Claim 13 (Previously Presented): The semiconductor light emitting device according to Claim 11, wherein the defect layer is of higher defect density than at least the second clad layer.

Claim 14 (Canceled).

Claim 15 (Previously Presented): The semiconductor light emitting device according to Claim 11, wherein a material of said defect layer is 10^{-2} or more different in lattice constant from materials of said first clad layer, said active layer and said second clad layer.

Claim 16 (Canceled).

Claim 17 (Currently Amended): The semiconductor light emitting device according to Claim [[1]] 11, wherein a material of said defect layer is two or three mixed crystal selected from a group of consisting of In, Ga, Al, P, and As.

Claim 18 (Canceled).

Claim 19 (Previously Presented): The semiconductor light emitting device according to Claim 11, wherein said defect layer is 10 nm or more in thickness.

Claims 20-21 (Canceled).

Claim 22 (Currently Amended): A semiconductor light emitting device comprising:
a substrate;
a first clad layer of a first conductive type formed over the substrate;
an active layer directly formed on said first clad layer;
a second clad layer of a second conductive type directly formed on said active layer;
a layer having a defect region, said defect region being directly formed on said second clad layer;
a first electrode electrically connected to said first clad layer; and

a second electrode electrically connected to said ~~current diffusion~~ layer having the defect region.

Claim 23 (Canceled).

Claim 24. (New): The semiconductor light emitting device according to Claim 22, wherein the defect layer is of higher defect density than at least the second clad layer.

Claim 25. (New): The semiconductor light emitting device according to Claim 22, wherein a material of said defect layer is 10^{-2} or more different in lattice constant from materials of said first clad layer, said active layer and said second clad layer.

Claim 26. (New): The semiconductor light emitting device according to Claim 22, wherein a material of said defect layer is two or three mixed crystal selected from a group of consisting of In, Ga, Al, P, and As.

Claim 27. (New): The semiconductor light emitting device according to Claim 22, wherein said defect layer is 10 nm or more in thickness.